

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERK'S OFFICE

ESTATE OF JOSE R. FELICIANO,)
By and through Jose L. Feliciano and)
Migdalia Rosado, as Administrators of)
The Estate of Jose R. Feliciano,)
Plaintiffs)

2005 APR 21 P 2:18

U.S. DISTRICT COURT
DISTRICT OF MASS.

vs.)


Civil No. 03-30308-MAP

KEVIN A. MILES,)
LEROY HOLDING COMPANY, INC.,)
and SLC TRANSPORTS, INC.,)
Defendants)

**DEFENDANTS' MOTION IN LIMINE REGARDING
MEDICAL EXAMINER'S POST MORTEM EXAMINATION REPORT**

Now comes the Defendants in the above-entitled matter and respectfully requests this Honorable Court to preclude the entry into evidence of the Post-Mortem Examination Report of Jennifer Lipman, M.D. In support of this Motion the Defendants state that said report is hearsay and does not fall within any of the exception to the hearsay rule. Further, the report is not a public record and therefore would not be admissible under Rule 803. The testimony of Dr. Lipman would be admissible if she were called to testify.

THE DEFENDANTS,
KEVIN MILES, LEROY HOLDING
COMPANY, INC. & SLC TRANSPORT, INC.
By Their Attorney


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